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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/557,834	08/23/2006	Aldino Albertelli	018872.00163	6658
26712	7590	03/10/2009	EXAMINER	
HODGSON RUSS LLP THE GUARANTY BUILDING 140 PEARL STREET SUITE 100 BUFFALO, NY 14202-4040				CHAPMAN, JEANETTE E
ART UNIT		PAPER NUMBER		
3633			MAIL DATE	
			03/10/2009	DELIVERY MODE
				PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/557,834	ALBERTELLI ET AL.	
	Examiner	Art Unit	
	Jeanette E. Chapman	3633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 22 November 2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-16, 18-21, 24 and 25 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-16, 18-21, 24 and 25 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date <u>1/08/08, 11/22/05</u> .	6) <input type="checkbox"/> Other: _____ .

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12, 18,19,20, 24-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Japerson (4312908)

claim 12.

Japerson discloses a precursor for a door, window, or panel, comprising a skin attached to one face of an open cell foam, but not to an opposing face of the open cell foam. See column 7, line 37 through column 8, line 17

claim 18.

Japerson discloses a method comprising attaching a first precursor to a second precursor, wherein each of the first and second precursors comprises a skin attached to one face of an open cell foam, but not to an opposing face of the open cell foam. See column 7,lines 37-47.

claim 19.

Japerson discloses a A kit comprising a precursor -comprising a skin attached to one face of an open cell foam, but not to an opposing face of the open cell foam, and a second skin that is not attached to the precursor. See column 7 lines 37 through column 8, line 16

claim 20.

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Jasperson discloses a kit comprising a first precursor and a second precursor, wherein each of the first and second precursors comprises a skin attached to one face of an open cell foam, but not to an opposing face of the open cell foam. See column 7 lines 37 through column 8, line 16.

claim 24.

Japserson discloses a door, window or panel which includes a foam core which includes in the interior of the foam, a layer of adhesive generally in the plane of the door, window or panel. See claim 1

claim 25.

Jasperson discloses a door, window or panel according to Claim 24 which comprises a first precursor adhered to a second precursor, wherein the precursors comprise a skin attached to one face of an open cell foam, but not to an opposing face of the open cell foam. See claim 1

Claims 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Minke (2003/02007140

claim 21.

Minke et al a kit according to Claim 19 further comprising one or more of:

- a) an adhesive,
- b) a reinforcement means, 36
- c) glazing, paragraph [0029]
- d) a door, window or panel fitting 50, and

e) a paint, varnish, lacquer, stain or wax. Paragraph [0029]

22. (Cancelled).

23. (Cancelled).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jasperson in view of Chen(6665997)

claim 1.

Figures 7-8 of chen shows a method comprising

- a) attaching a first skin 1 to a first surface of an open cell foam 9 to form a precursor for a door, window or panel; and
- b) attaching a second skin 2 to the precursor in a separate step from step a).

Japseron specifically teaches attaching a first skin to a first surface of an open cell foam to form a precursor for a door, window or panel. See column 7, line 37 through column 8, line 17

claim 2.

Chen and Jasperson discloses a method according to Claim 1 wherein the second skin 2 is attached to a second surface of the foam, the second being an opposing surface to

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the first surface.

claim 3.

Jasperson discloses a method according Claim 1, wherein an adhesive is used to attach the second skin to the precursor. . See column 7, line 37 through column 8, line 17

claim 4.

Chen discloses a method according to Claim 1, wherein, prior to attaching the second skin to the precursor, the precursor 2 is modified. Or molded

claim 5.

Chen discloses a method according to Claim 4, wherein, prior to attaching the second skin to the precursor, the precursor is shaped. See claim 5.

It would have been obvious to modify Jasperson according to chen to give the skins a decorative effect.

claim 9.

Jasperson discloses a method according to Claim 1, wherein step b) is performed at least one hour after step a). see 8 hours curing time in column 7 also see column 8

claim 10.

Jasperson discloses the curing time is at the discretion of the one making the panel and the characteristics desired from each panel . no criticality or relevancy can be

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shown for including a 24 hour curing time.

claim 11.

Chen and Jasperson discloses a method according to Claim 1, wherein the second skin is attached to the precursor at a different location or the opposite side from the location at which the first skin is attached to the second skin.

Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jasperson in view of Chen and further in view of Minke et al

Claim 6.

Minke et al discloses a glazing applied to the skin. It has been considered immaterial and irrelevant when this glazing occurs since either method gives the door's final product aesthetic appeal

claim 7.

Minke et al discloses one or more fittings 50 for the door, window, or panel . It has been considered immaterial and irrelevant when this preparation for receive the fitting occurs since either method gives the door's final product of a door or handle to open and close the same

claim 8.

Minke et al discloses a method according to Claim 7, wherein the one or more fittings are selected from the group consisting of: a handle, a lock, a plate, a catch and a hinge.

Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jasperson in view of Minke et al

Claim 13.

Minke et al discloses a precursor according to Claim 12, further comprising reinforcing means 36.

claim 14.

Minke et al discloses a precursor according to Claim 13, wherein the reinforcing means is a mesh.

claim 15.

Minke et al discloses a precursor according to Claim 12, further comprising a frame 24/26/28/30.

claim 16.

Minke et al discloses a precursor according to Claim 15, wherein the frame is a wooden frame. See paragraph [0029]

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chapman E. Jeanette whose telephone number is 571-272-6841. The examiner can normally be reached on Mon.-thursday, 8:30-6:00, every fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JEANETTE CHAPMAN/
PRIMARY EXAMINER
ART UNIT 3633
